

01/11/01

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Attorney Docket No. MCRVT-0230

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

jc715 U.S. PTO  
09/758832  
01/11/01

In re Application of:	)		
Horton, et al.	)	Art Unit:	To Be Determined
	)		
Application No.: To Be Determined	)	Examiner:	To Be Determined
	)		
Filed: Herewith, January 11, 2001	)		
	)		
For: Insitu Formable and Self-Forming	)		
Intravascular Flow Modifier (IFM),	)		
Catheter and IFM Assembly, and Method	)		
<u>for Deployment of Same</u>	)		

**Transmittal of a Continuation Utility Patent Application**

Express Mail mailing label no. EL636155235US

Box Patent Application  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Transmitted herewith for filing is the Continuation utility patent application for "Insitu Formable and Self-Forming Intravascular Flow Modifier (IFM), Catheter and IFM Assembly, and Method for Deployment of Same."

- ☒ The applicant(s) hereby request(s) the filing of the continuation patent application under 37 CFR §1.53(b) corresponding to application Serial No. 08,688,229. No amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.
- ☒ Applicant hereby requests that the above-referenced patent application, filed concurrently herewith, **NOT BE PUBLISHED** under 35 U.S.C. §122(b). In making this request, applicants certify that the invention disclosed in the application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at 18 months after filing.
- ☒ A true copy of the following are enclosed:
  - ☒ the prior application as filed, including all 61 pages of specifications (including 35 pages of written description; 25 pages of claims (Claims 1-101), and all 7 sheets of drawings; and

- ☒ the declaration of inventorship showing the signatures or an indication it was signed.
- ☐ Please delete the names of the following persons who are not inventors of the invention being claimed in this divisional application:
- ☒ Please amend the specification after the granting of a filing date herein by inserting before the first line the sentence: --This is a continuation of application Serial No. 08/668,229 filed on June 21, 1996.--
- ☒ Kindly enter in this continuation application the following preliminary amendment, prior to calculation of the required filing fee:

### IN THE CLAIMS:

**Please cancel claims 2-101, without prejudice.**

- ☒ Check No. 2109 covering the filing fee in the amount of \$355.00 accompanies this application, calculated as follows:

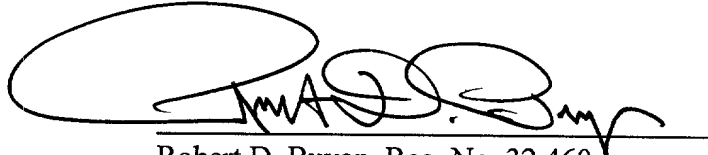
For	(Col. 1)		(Col. 2)		Small entity		Other than a	
	No. Filed		No. extra		Rate	Fee	Rate	Fee
Basic fee						\$ 355	Or	\$ 710
Total claims	1	- 20 =	0	x 9	\$	Or	x 18	\$
Indep claims	1	- 3 =	0	x 40	\$	Or	x 80	\$
_ Multiple dependent claims presented					+ 130	\$	Or	+ 260
					Total	\$355	Or	Total

- ☐ An Assignment of the invention to [Assignee], including a cover sheet and Check No. [Assignment Check No.] for \$40 are enclosed.
- ☐ A Statement of Ownership and Power of Attorney.
- ☒ The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 § CFR 1.17 to Deposit Account No. 50-0878.
- ☐ Formal drawings are enclosed.
- ☐ The undersigned is the Applicant's attorney of record in the prior application, and all future communications should be addressed to the undersigned at the new address shown herebelow.

- ☒ Application is entitled to Small Entity Status.
- ☒ An information disclosure statement is enclosed.

STOUT, UXA, BUYAN & MULLINS, LLP

Date: January 11, 2001

  
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CERTIFICATE OF MAILING

I hereby certify that this Transmittal letter, the above-identified documents and papers, and a return postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on January 11, 2001 and is addressed to Box PATENT APPLICATION, Commissioner for Patents, Washington, D.C. 20231.

Dated: January 11, 2001

By:   
Annette Brooks, Assistant

Express Mail mailing label no. EL636155235US